

Equal Employment Opportunity and Affirmative Action Program

Chief of Staff
2007 – 2011 Fiscal Years



**Washington State
Department of Transportation**

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Chief of Staff Equal Employment Opportunity and Affirmative Action Program

What is an Equal Employment Opportunity Program?

An Equal Employment Opportunity (EEO) Program sets forth results-oriented policies and commitments of good faith efforts to attain fairness and equity in the administration of all of Washington State Department of Transportation (WSDOT) employment practices such as recruitment, hiring, pay, benefits, job assignments, leave, promotions, and more. The program promotes the creation of a diverse workforce, and an inclusive, open work environment that is free from discrimination and harassment based on race, color, national origin, creed/religion, gender, age, disability, sexual orientation, and Disabled Veteran, Vietnam Era Veteran, and marital status.

What is an Affirmative Action Plan?

An Affirmative Action (AA) Plan is an integral part of an EEO Program. It details positive steps to overcome the effects of past or present barriers to assure that the WSDOT workforce is reflective of the available labor pools of the communities that we serve. An AA Plan ensures equitable participation, and discourages and remedies discriminatory actions.

Why must Chief of Staff have an Affirmative Action Plan?

Federal regulations (CFR 23 Part 230), State regulations (RCW 41.06.150 and 49.60 and WAC 357-25) and the Governor's Executive Order (93-07) requires WSDOT to prepare, submit, and annually maintain a program promoting affirmative action and equal employment opportunity. WSDOT Executive Order 1014.01 and Chapter 1 of the OEO Desk Manual state, "Each executive manager is to establish and maintain an affirmative action program within the organization he or she is responsible for."

How do AA Plans benefit the Chief of Staff beyond compliance?

- Increases in minorities, females, and an aging population have significantly changed the labor pool. Recruitment strategies that access all available labor markets are the best way WSDOT can attract and retain the best talent.
- More than 50% of the workforce for state DOTs will be eligible for retirement in the next 10 years, double the rate for the nation. ("The Workforce Challenge: Recruiting, Training, and Retaining Qualified Workers for Transportation and Transit Agencies." Transportation Research Board, TR News vol. 229, November – December 2003.)
- Research indicates that promoting equal opportunity and valuing cultural differences can significantly improve organizational performance. Direct and indirect links to the bottom line include an increase in adaptability and flexibility; reduction of costs associated with turnover, absenteeism and low productivity; and increased effectiveness in serving an increasingly diverse customer base. (Lockwood, N.R. [June 2005] Society of Human Resource Management Research Quarterly.)

How are goals established and progress monitored?

The affirmative action goal for an affected group is equal to the affected group's availability. Updated availability data is incorporated into OEO's Utilization Analysis reports, for managers and Human Resource Consultants to be able to monitor progress.

Chief of Staff Affirmative Action Plan Commitments

I. Job Structuring and Upward Mobility

- Support apprenticeship programs and effectively use trainee classifications and in-training appointments to reach a broad applicant pool; conduct outreach to under represented groups.
- Create career development plans for lower grade employees who demonstrate potential for advancement.
 - Example: "In-Training" appointments are opportunities to consider a broadened applicant pool of affirmative action group members and to re-train employees with disabilities; target recruitment for women and minorities in temporary positions which often become a pool for permanent employees and to persons with disabilities that can no longer perform the essential functions of their current positions.
- Provide cross-training opportunities and then consider those who gain skills during those opportunities for future recruitments; utilize opportunities to provide experience to underrepresented employee groups by providing temporary upward appointments to members of underrepresented groups working in higher classifications during absences and acting appointments.

II. Recruitment, Promotion, and Placement

- Train employees who conduct employment selection interviews in proper interviewing techniques and select interview panel members who reflect diversity.
- Actively recruit to reach all appropriate sources to obtain qualified employees on a nondiscriminatory basis.
 - Example: Work with HR to utilize other Recruitment Resource lists for advertising available positions.
(See <http://wwwi.wsdot.wa.gov/HR/MoreRes/DiversityRecruitmentResources.htm>)
- Maintain contacts with organizations and professional societies representing underrepresented groups, and other sources of candidates for technical, professional and management level positions.
 - Example: Regularly advertise WSDOT job opportunities in publications targeting women and minority professional groups; support the Interagency Agreement with the Governor's Committee on Disability Issues and Employment and participate in events sponsored by women and minority professional groups.

- Assure all job vacancies are posted conspicuously and all employees are encouraged to apply on all jobs for which they feel they are qualified.
- Ensure that qualified applicants in under-utilized affected groups are considered for interviews and review results of the hiring process regularly.
- Evaluate hiring and promotion selection criteria and procedures (evaluations, interviews, written tests, qualification standards, job descriptions, etc.)
 - Example: Establish diverse interview hiring panels; assure applicant pools have representatives of affected group members before accessing recruitment referrals and certifications; include the ability to effectively work in diverse work units and communities and/or communicate in second languages in hiring selection criteria, when appropriate.
- Ensure desirable qualifications for entry level positions are not above “minimum requirements”.
- Encourage minorities and females to enter relevant educational and vocational training programs for job tracks where they are underrepresented or not represented.
 - Example: Target colleges with a broader student diversity population and reach the affected groups in all colleges visited would be an effective way to improve the affirmative action profile of the Professional Engineer EEO Group; extend outreach to affected group student populations prior to the visit to encourage participation; focus on schools with high representations of affected group members for career fairs, elementary school demonstrations, and high school visits. Information on student populations is available at: <http://www.k12.wa.us/DataAdmin/default.aspx>.

III. Retention and Separations

- Conduct Exit Interviews with employees leaving WSDOT, selecting interviewers from a diverse team.
- When all employees are disciplined, laid off, discharged or downgraded, review the actions before they become final to ensure bias is not a factor in the decision.
 - Example: Review pending probationary separations to ensure that proper performance management practices were utilized and ensure bias is not a factor in decisions; review pending disability separations to ensure that all effective accommodations have been implemented.

IV. Responsibilities, Reviews, and Remedies

- Make every manager and supervisor responsible and accountable to discharge the EEO program responsibilities described above.
- Collect and report all affirmative action activities to OEO for inclusion in the annual reports to FHWA.

Statewide WSDOT Activities That Support EEO & AA Programs

Diversity Training

WSDOT Office of Equal Opportunity (OEO) Diversity Training is mandatory for all employees and provides information on the Department's policies and programs. OEO Diversity Training includes three modules: *Valuing Diversity*, *Sexual Harassment/Discrimination Prevention*, and *Disability Awareness*. In addition, new employees are made aware of policies in new employee packets and new employee orientations.

Civil Rights Complaints and Investigations

OEO conducts fair and impartial investigations and seeks to resolve issues through informal processes, including mediation. Employees may file a complaint with the WSDOT Office of Equal Opportunity if they believe they have been subjected to discrimination or harassment on the basis of their race, religion, color, creed, national origin, age, marital status, sex, sexual orientation, status as a Disabled Veteran, Vietnam-era Veteran, or as a person with a disability. Managers can request OEO informal or formal inquiries and mediation services to prevent and correct discrimination or harassment.

Annual Performance Evaluations

Chapter 1 of the OEO Desk Manual establishes minimum Equal Employment Opportunity standards. Clear expectations and accountability are critical to success. A factor to rate manager's and supervisors' performance in discharging EEO program responsibilities is incorporated in the new performance appraisal system.

State and Federal Disability Programs

Regional HR and OEO Consultants provide disability and reasonable accommodation services throughout the department. The WSDOT ADA Coordinator provides consultations, resources, and annually reports program activities with recommendations.

Applicant Flow Data Collection and Analysis

OEO provided an Applicant Flow Database to each region for Human Resource staff to collect information on how recruitment and hiring practices impact affected groups, as required by FHWA and GAAPCom.

Utilization, Promotion, and Separation Adverse Impact Analysis

OEO distributes utilization analysis reports and posts the information on the WSDOT HR Intranet at: <http://wwwi.wsdot.wa.gov/hr/UARReport.htm>. Annually, OEO compiles statistics to identify and prevent possible "adverse impact", a form of discrimination defined as a substantially different rate of selection in hiring, promotion or other employment decision which works to the disadvantage of members of a race, sex, ethnic, or other affirmative action group. OEO assists managers and human resources to develop remedial measures consistent with the Office of Federal Contract Compliance programs, at: <http://www.dol.gov/esa/regs/compliance/ofccp/fccm/ofcpch7.htm>

Apprenticeship Program

The Office of Human Resources (OHR) leads the WSDOT Apprenticeship Program. Availability data has been provided to OHR by OEO.

Recruitment and Retention Outreach

OHR Recruitment and Retention Unit lead the agency's statewide recruitment, retention, and promotional programs. OHR created the WSDOT Jobs ListServe for distributing vacancy announcements, which will be advertised to organizations representing affected group members.

Career Development Programs

Encouraging participation in programs can improve upward mobility and retention. Participation in the following programs provided by Staff Development are reviewed and reported annually by OEO:

- WSDOT Training Program
- Executive Fellowship Program
- Tuition Fee Reimbursement Program
- Senior Leader Succession and Development Program
- Mentoring Program

Exit Interviews

A new electronic exit interview database has been developed by OHR. The data collected will provide management with statistical data on why employees leave the agency.